

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare - West Godavari District –Yagarapalli Village Tadepalligudem Mandal – Land Acquired to an extent of Acs.6.40 Cts in Sy.No.15/1 etc., for providing house sites to the Weaker Section People – Sanction of Rs.40,21,577/- towards balance decretal charges, as per orders of Hon'ble High Court of A.P., dated 22.4.2009 in AS.No.602/2003 in OP.No.21/97 – Orders - Issued.

SOCIAL WELFARE (LA.1) DEPARTMENT

G.O Rt.No. 34

Dated: 12.01.2012

Read the following:-

1. From the District Collector, West Godavari Lr.Rc.No.G1/2210/2010, dated 02.12.2010.
2. From the Spl CS to Govt & CCLA, A.P., Hyderabad Lr.No.G2/2297/2010, dated 18.4.2011
3. From the District Collector, West Godavari Lr.Rc.No.G1/2210/2010, dated 18.07.2011
4. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.No.LA3/5308/2011, dated 22.07.2011.
5. From the Spl CS to Govt & CCLA, A.P., Hyderabad Lr.No.G2/2297/2010, dated 05.9.2011.

ORDER:

In the reference 2nd read above, the Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the LAO/RDO, Eluru has acquired land to an extent of Ac.6-40 Cts in Survey No. 15/1 etc of Yagarlapalli village by fixing the market value @ Rs.1,00,000/- per acre through Award No.11/95-96, dated: 15-02-1996. Aggrieved by the market value fixed by LAO, the land owner has filed reference u/s 18(1) of the L.A Act for enhancement of compensation as he was not satisfied with the Market value fixed by the LAO and the reference court in O.P.No.21/97 dt. 08-09-2000 while closing the reference without costs has ordered that the claimants are not entitled to higher compensation. Aggrieved by the orders of the Hon'ble Senior Civil Judge, Tadepalligudem passed in O.P.No.21/97 dated: 08-09-2000, the land owner filed Appeal Suit No. 602/2003 before the Hon'ble High Court of A.P., Hyderabad. The Hon'ble High Court vide its orders dt. 22-04-2009 enhanced the Market Value from Rs. 1,00,000/- to 2,25,000/- per acre along with all other statutory benefits as per the amended provisions of the Act. The Government Pleader Hon'ble High Court of A.P., Hyderabad vide Lr.No. A.S.No.602/03, dt. 14-07-2009 has given his opinion that as it is a well considered judgment and he does not find any grounds to prefer an appeal before the Hon'ble Supreme Court. The District Collector, West Godavari has submitted proposals for sanction of Rs.38,97,771/- towards payment of balance decretal charges in OP.No. 21/97 initially. Consequently the Dist Collector, West Godavari/Commissioner of Social Welfare, A.P., Hyderabad has sent revised calculation sheet for release of Rs.40,21,577/- by calculating interest upto 31.8.2011, vide references 3rd and 4th read above.

2. The Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P., Hyderabad after verification and scrutiny of the calculation sheet submitted by the Dist Collector, West Godavari vide reference 1st read above, has sent comparative calculation sheet for Rs.38,97,738/- vide reference 2nd read above initially. Subsequently he has forwarded the revised proposals submitted by the Collector, West Godavari/Commissioner of Social Welfare, A.P., Hyderabad to Government for sanction of Rs.40,21,577/-with upto date interest calculations upto 31.8.2011 vide reference 5th read above, towards payment of decretal charges in OP.No.21/97 for the land acquired to

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an extent of Ac.6.40 Cts in RS.No.15/1 etc., situated at Yagarlapalli Village & Mandal for providing house sites to the weaker section people. He has further stated that the Commissioner of Legal Affairs has opined that the Hon'ble High Court disposed off AS.No.602/2003 on 22.4.2009. In this judgment, the documents relied by the claimant have been discussed by the High Court and the market value of acquired land is fixed. The judgment of Hon'ble High Court is well considered as observed by the Government Pleader for Appeals in his opinion dt. 14.7.2009.

3. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, A.P., Hyderabad to release an amount of Rs.40,21,577/- (Rupees Forty Lakhs Twenty One Thousand Five Hundred and Seventy Seven only) to the District Collector, West Godavari, towards payment of balance decretal charges as per orders dated 22.04.2009 of the Hon'ble High Court of A.P., in A.S No.602/2003 in OP.No 21/97 as reported by the District Collector, West Godavari / Commissioner of Social Welfare, A.P., Hyderabad in respect of the land acquired to an extent of Ac.6.40 Cts in RS.No.15/1 etc., situated at Yagarlapalli Village & Mandal of West Godavari District for providing house sites to the weaker section people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the BE.2011-12 and debited to the following Head of Account.

“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grants – in – Aid”.

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary proceedings to the District Collector, West Godavari accordingly.

6. The District Collector, West Godavari shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide in U.O Note No.12869/196/A1/Esp.SW/2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary to Government & Chief Commissioner of Land
Administration, A.P., Hyderabad.
The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, West Godavari
Copy to:
The Director of Treasury & Accounts, A.P., Hyderabad,
The Accountant General, A.P., Hyderabad,
The District Treasury Officer, West Godavari District.
Finance (Exp.SW/BG) Department
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER